

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
Holly HOGREFE et al. )  
Serial No.: 09/399,003 ) Group Art Unit: 1643  
Filed: September 20, 1999 ) Examiner:

For: POLYMERASE ENHANCING FACTOR (PEF) EXTRACTS, PEF PROTEIN COMPLEXES, ISOLATED PEF PROTEIN AND METHODS FOR PURIFYING AND IDENTIFYING

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attention:

BOX MISSING PART

Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice To File Missing Parts dated October 12, 1999, enclosed is the Declaration and a copy of the Notice To File Missing Parts.

Also enclosed is a check in the amount of \$130.00 to cover the surcharge fee. Authorization is hereby given to charge any additional fees to our deposit account no. 06-0916.

Please associate this Declaration with the application as filed on September 20, 1999 and assigned serial number 09/399,003.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:

*Ernest F. Chapman*  
Ernest F. Chapman  
Reg. No. 25,961

Dated: November 4, 1999  
EFC/FPD/rgm  
Enclosures

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

1300 I STREET, N.W.  
WASHINGTON, DC 20005-3315

202 • 408 • 4000  
FACSIMILE 202 • 408 • 4400

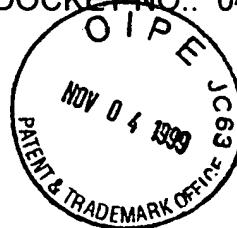
ATLANTA  
404•653•6400  
PALO ALTO  
650•849•6600

WRITER'S DIRECT DIAL NUMBER:

TOKYO  
011•813•3431•6943  
BRUSSELS  
011•322•646•0353

ATTORNEY DOCKET NO.: 04121.0116-02

Office of Initial Patent Examination's  
Customer Service Center  
Assistant Commissioner for Patents  
Washington, D.C. 20231



U.S. Patent Application

Title: POLYMERASE ENHANCING FACTOR (PEF) EXTRACTS,  
PROTEIN COMPLEXES, ISOLATED PEF PROTEIN AND METHODS  
FOR PURIFYING AND IDENTIFYING

Inventor(s): Holly HOGREFE and Connie J. HANSEN

Serial No.: 09/399,003

Group Art Unit: 1643

Filed: September 20, 1999

Examiner:

Sir:

REQUEST FOR CORRECTED FILING RECEIPT

Enclosed is a copy of the Filing Receipt received from the U.S. Patent and Trademark Office. The following errors were found in the Filing Receipt:

The continuing application information is incorrect:

THIS APPLN IS A CON OF PCT/US98/05497 03/20/98  
WHICH IS A CIP OF 08/957,709 10/24/97  
WHICH IS A CIP OF 08/822,774 03/21/97

There are errors in the title. The correct title is "POLYMERASE ENHANCING FACTOR (PEF) EXTRACTS, PEF PROTEIN COMPLEXES, ISOLATED PEF PROTEIN AND METHODS FOR PURIFYING AND IDENTIFYING"

The errors have been highlighted on the enclosed copy and the correct information is shown in ink adjacent the erroneous information.

We request a corrected Filing Receipt as soon as possible.

RECEIVED  
PCT/US98/05497  
NOV 30 1999  
MAIL ROOM

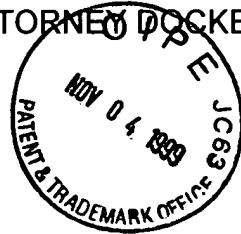
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RECEIVED  
TC 1700 MAIL ROOM  
NOV 29 1999

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

ATTORNEY DOCKET NO.: 04121.0116-02

Office of Initial Patent Examination's  
Customer Service Center



If there are any fees due in connection with the filing of this request, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:

  
Ernest F. Chapman  
Reg. No. 25,961

Dated: November 4, 1999

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FILING RECEIPT



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UNITED STATES GOVERNMENT OF COMMERCE  
Patent and Trademark Office  
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Washington, D.C. 20231

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTORNEY DOCKET NO. | DRWGS | TOT CL | IND CL |
|--------------------|-------------|--------------|---------------|---------------------|-------|--------|--------|
| 09/399,003         | 09/20/99    | 1643         | \$3,738.00    | 04121.0116-02       | 45    | 106    | 18     |

FINNEGAN HENDERSON FARABOW  
GARRETT & DUNNER LLP  
1300 I STREET NW  
WASHINGTON DC 20005-3315

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) HOLLY HOGREFE, SAN DIEGO, CA; CONNIE J. HANSEN,  
SAN DIEGO, CA.

## CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A CIP OF 08/957,709 10/24/97  
WHICH IS A CIP OF 08/822,774 03/21/97

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 10/07/99  
TITLE ENHANCING FACTOR (PEF)

POLYMERASE ENHANCING FACT PEF EXTRACTS, PEF PROTEIN COMPLEXES,  
ISOLATED PEF PROTEIN, AND METHODS FOR PURIFYING AND IDENTIFYING

PRELIMINARY CLASS: 435

THIS APPLN IS A CON OF PCT/US98/05497 - 03/20/98

WHICH IS A CIP OF 08/957,709 - 10/24/97

WHICH IS A CIP OF 08/822,774 - OCT 22 1997  
03/21/97

OCT 29 1999  
100 MAIL ROOM

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OCT 20 1999

FINNEGAN, HENDERSON, FARABOW,  
GARRETT AND DUNNER, LLP

DATA ENTRY BY: GENTRY, CHRISTINE TEAM: 01 DATE: 10/07/99

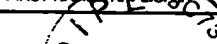


(See reverse for new important information)

Oct 21 1999 RMA



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

| APPLICATION NUMBER   | FILING/RECEIPT DATE | FIRST NAME APPLICANT | ATTORNEY DOCKET NO./TITLE |
|--|---------------------|----------------------|---------------------------|
| 09/399,003   | 09/20/99            | HOGREFE              | H 04121.0116-0            |
| <br>NOV 04 1999<br>PATENT & TRADEMARK OFFICE |                     |                      |                           |
| 0212/1012  |                     |                      |                           |
| NOT ASSIGNED   |                     |                      |                           |
| FINNEMAN HENDERSON FARABOW<br>GARRETT & DUNNER LLP<br>1300 I STREET NW<br>WASHINGTON, DC 20005-3315                            |                     |                      |                           |

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1:136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
 small entity (statement filed)  non-small entity is \$ 1,300

1. The statutory basic filing fee is:  
 missing.

insufficient.  
Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- 2 The following additional claims fees are due:

**for** total claims over 20

for independent claims over 3

**for multiple dependent claim surcharge**

- Applicant must either su**

### The oath or declaration:

is missing or unsigned.

does not cover the newly submitted items.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42.

*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

- This application is filed under the Small Business Protection Act.

*An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Title. Date of signature:*

- 6 A \$50.00 processing fee is required for each application filed.

6. A \$50.00 processing fee is required since your check was returned without payment.

7. Your filing receipt was mailed in error because your check  
 8. The application was filed in a timely manner with the Board

*Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.56(f)).*

- 8 OTHER

Direct the reply and any questions about this notice to "Attention: Box Missing Pads".

**A copy of this notice MUST be returned with the reply.**